

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

Franchise Group, Inc., *et al.*

Debtor(s).

Chapter 11

Case No. 24-12480 (LSS)

(Jointly Administered)

**DECLARATION IN SUPPORT OF CARLOS LINARES' MOTION FOR
AN ORDER MODIFYING STAY AND/OR ANY PLAN INJUNCTION**

Paul Savinov, Esq., of full age, hereby certifies, under penalty of perjury, as follows:

1. I make this declaration in support of *Carlos Linares' Motion for an Order Modifying Stay and/or Any Plan Injunction* (the "**Motion**").

2. I have personal knowledge of the factual averments set forth herein, and if called upon to do so, I could and would appear before the Court and competently testify to the truth thereof.

3. I am an attorney, licensed to practice law in Texas.

4. I represent creditor, Carlos Linares (hereinafter "**Creditor**").

5. Creditor has pre-petition personal injury and negligence claims against the Debtor(s), and others.

6. In 2023 Creditor filed a lawsuit in the District Court, 190th Judicial District, Harris County, Texas styled as *Carlos Linares vs. American Freight Outlet Stores, LLC, Daniel Jovel, and Peirs Anderson*, Case No. 2023-53210 (the "**State Court Action**").

7. Upon information and belief, the Debtor(s) are insured for Creditor's claims thereagainst.

8. Upon information and belief, on November 3, 2024 (the “**Petition Date**”), the above-captioned debtors (each a “**Debtor**,” and together the “**Debtors**”) filed voluntary petitions for relief under chapter 11 of the Bankruptcy Code, thereby initiating the above-captioned chapter 11 cases, which are being jointly administered (the “**Chapter 11 Case**”).

9. Upon information and belief, Section 12.6 of the Debtors’ confirmed plan provides a broad injunction against actions to collect or recover on claims. *See* D.I. 1454 at pg. 12.6.

10. Creditor is ready to proceed with his State Court Action, and needs the bankruptcy stay and/or any plan injunction modified accordingly. Modification of the stay and/or any plan injunction, as proposed in the Motion, is necessary to prevent extreme prejudice to Creditor. If the stay and/or any plan injunction is not modified, Creditor’s pursuit of justice of his claims, including claims against non-debtor entities, will be indefinitely stopped from moving forward.

11. For the reasons set forth in the Motion, which are fully incorporated herein by reference, Creditor respectfully requests the entry of an Order modifying the stay and/or any plan injunction, and granting Creditor authority to proceed with his State Court Action against the Debtor(s), as nominal parties only, and to proceed to collect any judgment or settlement obtained solely against available insurance proceeds.

Pursuant to 28 U.S.C. § 1746, I hereby certify, under penalty of perjury, that the foregoing statements made by me are true and correct. I am aware that if any of said statements are willfully false, I am subject to the penalties of perjury.

Dated: July 7, 2025

/s/ Paul Savinov
PAUL SAVINOV